

US EPA ARCHIVE DOCUMENT

Environmental Justice Analysis

Greenhouse Gas Prevention of Significant Deterioration Preconstruction Permit
for the Energy Transfer Company, Jackson County Gas Plant

Permit Number: PSD-TX-1264-GHG

March 2012

Executive Order 12898, entitled “Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations,” states in relevant part that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Section 1-101 of Exec. Order 12898, 59 Fed. Reg. 7629, (Feb. 16, 1994). “Federal agencies are required to implement this order consistent with, and to the extent permitted by, existing law.” *Id.* At 7632. Based on this Executive Order, the EPA’s Environmental Appeals Board (EAB) has held that environmental justice issues must be considered in connection with the issuance of federal Prevention of Significant Deterioration (PSD) permits issued by EPA Regional Offices and states acting under delegations of Federal authority. *See, e.g., In re Prairie State Generating Company*, 13 E.A.D. 1, 123 (EAB 2006); *In re Knauf Fiber Glass, GmbH*, 8 E.A.D. 121, 174-75 (EAB 1999) (“*Knauf I*”). Offices or their delegates in the states have for several years incorporated environmental justice analysis in a recent opinion. *See In re: Shell Gulf of Mexico, Inc. and Shell Offshore, Inc.*, OCS Appeal Nos. 10-1 to 10-4, Slip Op. at 63-4 (EAB December 30, 2010) (“*Shell II*”).

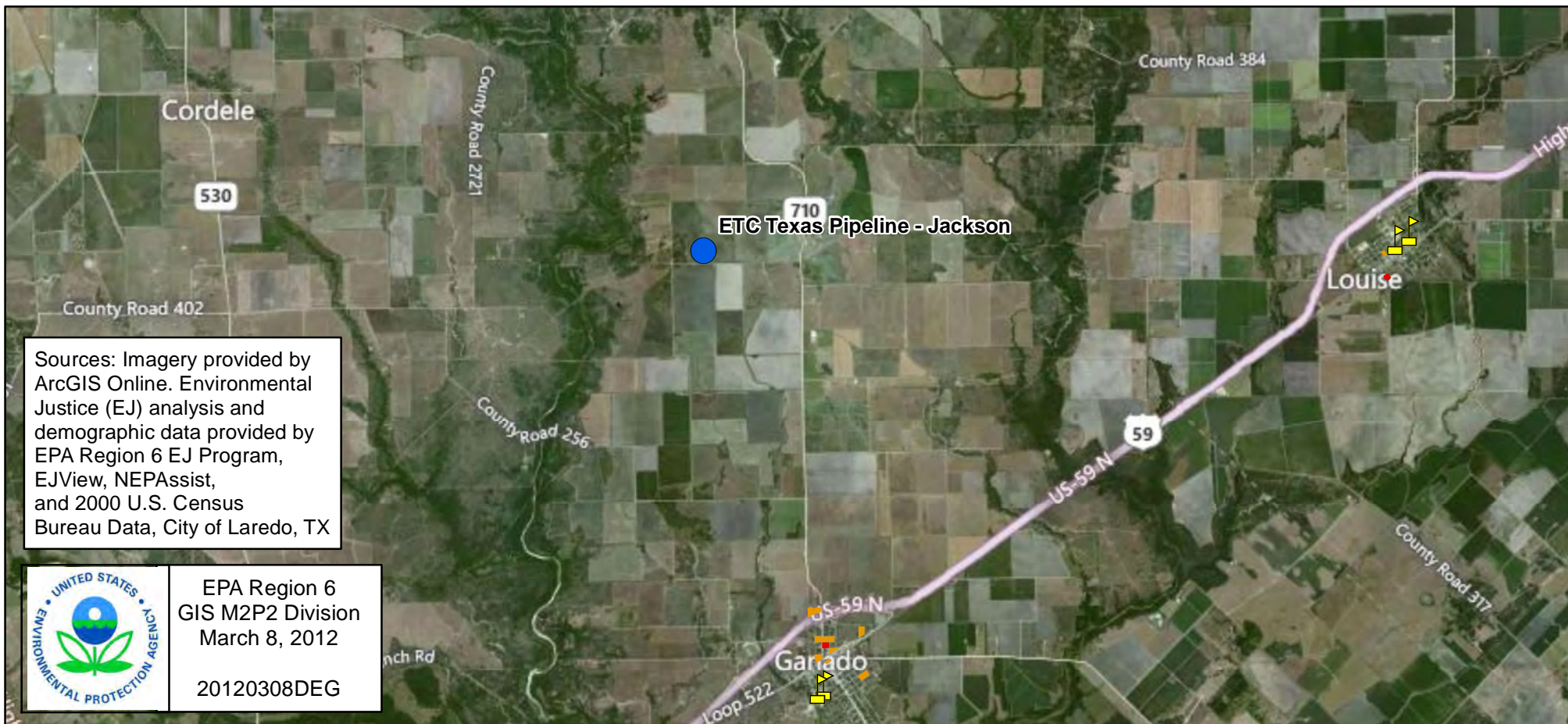
Demographic Analysis

Where an environmental justice community may be identified through a demographic analysis that centers on the project location, the objectives of the Executive Order may be promoted through special efforts to promote public participation. Public involvement in the permitting process may be encouraged through public hearings or comment periods that exceed the applicable regulatory obligations. A preliminary demographic analysis was conducted to determine whether communities surrounding the proposed project contained minority, low-income, or linguistically isolated populations that significantly deviated from county and statewide averages. The demographic information attached to the end of this document does not indicate the presence of any environmental justice communities within 3 miles of the project location at 1.25 miles west of FM 710 on Galow Road, Ganado, TX 77962.¹ EPA will, however, exercise its discretion in receiving comments on the draft permit to examine any “superficially plausible” claim that a minority or low-income population may be disproportionately affected by this facility. *See In re Avenal Power Center*, PSD Appeals Nos 11-02-11-05, Slip Op. at 20 (EAB August 18, 2011).

¹ Demographic information is taken from the environmental justice analysis mapping tool available within NEPAAssist available at <https://ssoprod.epa.gov/sso/jsp/NEPAlogin.jsp> (accessed March 8, 2012).

Conclusion

On the basis of the available information, we conclude the issuance of PSD-TX-1264-GHG for GHG emissions could not have disproportionately high and adverse human health or environmental effects on any environmental justice community near the Project, because none have been identified.



Sources: Imagery provided by ArcGIS Online. Environmental Justice (EJ) analysis and demographic data provided by EPA Region 6 EJ Program, EJView, NEPAassist, and 2000 U.S. Census Bureau Data, City of Laredo, TX



EPA Region 6
GIS M2P2 Division
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ETC Texas Pipeline - Jackson County, TX

Area of Concern

- Medium
- Med - High
- High

Schools

ETC Texas Pipeline - Jackson

Demographic Statistics within 3 miles of ETC Texas Pipeline - Jackson	
Total Population	713
Population Density (persons/sq mi)	27
% Below Poverty Line	14.00%
% Minority	36.20%

% Minority Composition	
White	78%
African-American	3.10%
Asian/Pacific Islander	0.10%
American Indian	0.60%
Other Race	16.50%
Multiracial	1.70%

3 Mile Radius of ETC Texas Pipeline - Jackson

County and State Comparison

Overview				
	Study Area	JACKSON County, TX	WHARTON County, TX	TEXAS
Total Persons:	713	14391	41188	20851820
Population Density:	26.54 /sq mi	17.35 /sq mi	37.78 /sq mi	79.65 /sq mi
Percent Minority:	36.2%	33.8%	46.8%	47.6%
Persons Below Poverty Level:	99 (14%)	2074 (14.7%)	6703 (16.5%)	3117609 (15.4%)
Households in Area:	250	5336	14799	7393354
Households on Public Assistance:	6	145	398	234081
Housing Units Built <1970:	63%	53%	53%	35%
Housing Units Built <1950:	27%	20%	20%	11%

Race				
(* Columns that add up to 100% are highlighted)				
Race Breakdown	Study Area	JACKSON County, TX	WHARTON County, TX	TEXAS
White:	556 (78.0%)	11006 (76.5%)	28563 (69.3%)	14797985 (71.0%)
African-American:	22 (3.1%)	1094 (7.6%)	6094 (14.8%)	2385554 (11.4%)
Hispanic-Origin:	233 (32.7%)	3608 (25.1%)	12861 (31.2%)	6670122 (32.0%)
Asian/Pacific Islander:	0 (0.1%)	33 (0.2%)	132 (0.3%)	555928 (2.7%)
American Indian:	5 (0.6%)	28 (0.2%)	136 (0.3%)	113755 (0.5%)
Other Race:	118 (16.5%)	1695 (11.8%)	5623 (13.7%)	2455972 (11.8%)
Multiracial:	12 (1.7%)	533 (3.7%)	597 (1.4%)	530162 (2.5%)

Age				
(* Columns that add up to 100% are highlighted)				
Age Breakdown	Study Area	JACKSON County, TX	WHARTON County, TX	TEXAS
Child 5 years or less:	67 (9.5%)	1270 (8.8%)	3342 (8.1%)	1935534 (9.3%)
Minors 17 years and younger:	203 (28.4%)	3957 (27.5%)	11818 (28.7%)	5873930 (28.2%)
Adults 18 years and older:	510 (71.6%)	10434 (72.5%)	29370 (71.3%)	14977890 (71.8%)
Seniors 65 years and older:	104 (14.6%)	2264 (15.7%)	5675 (13.8%)	2067467 (9.9%)

Education				
Education Level (Persons 25 & older)	Study Area	JACKSON County, TX	WHARTON County, TX	TEXAS
Less than 9th grade:	61 (14.6%)	1176 (13.3%)	3968 (16.5%)	1465420 (12.1%)
9th -12th grade:	71 (17.1%)	1355 (15.4%)	3766 (15.7%)	1649141 (13.6%)
High School Diploma:	149 (35.9%)	3188 (36.1%)	7482 (31.1%)	3176743 (26.2%)
Some College/2 yr:	82 (19.6%)	1915 (21.7%)	5155 (21.4%)	2858802 (23.6%)
B.S./B.A. or more:	53 (12.8%)	1185 (13.4%)	3667 (15.3%)	2972293 (24.5%)

Language				
Ability to Speak English	Study Area	JACKSON County, TX	WHARTON County, TX	TEXAS
Population Age 5 and Over:	659	13356	38401	19241518
Speak only English:	477 (72.3%)	10812 (81.0%)	28162 (73.3%)	13230765 (68.8%)
Non-English at Home:	182 (27.7%)	2544 (19.0%)	10239 (26.7%)	6010753 (31.2%)
Speak English very well:	102 (15.5%)	1512 (11.3%)	6767 (17.6%)	3341150 (17.4%)
Speak English well:	34 (5.2%)	510 (3.8%)	1733 (4.5%)	1241091 (6.5%)
Speak English not well:	34 (5.1%)	370 (2.8%)	1215 (3.2%)	911915 (4.7%)
Speak English less than well:	46 (7.0%)	522 (3.9%)	1739 (4.5%)	1428512 (7.4%)
Speak English not at all:	12 (1.9%)	152 (1.1%)	524 (1.4%)	516597 (2.7%)